

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

MICHAEL GRASSO,

Plaintiff,

v.

Case No. 4:21-cv-310-WS/MJF

TYLER VARNER, *et al.*,

Defendants.

---

**ORDER DIRECTING THE CLERK OF THE COURT TO  
NOTIFY BAR MEMBERS OF THE OPPORTUNITY TO  
REPRESENT THE PLAINTIFF *PRO BONO***

The clerk must send a notice to all attorneys registered with the court's electronic filing system. The notice must state:

This is notice of an opportunity to provide *pro bono* representation in the case of *Grasso v. Varner*, 4:21-cv-310-WS/MJF.

Plaintiff is suing three law enforcement officers for damages under 42 U.S.C. § 1983.<sup>1</sup> Plaintiff alleges that two officers of the Florida State University Police Department seized and searched his cellular phone and searched his storage unit without a search warrant and in violation of the Fourth Amendment. He also asserts that a deputy from the Wakulla County Sheriff's Office searched his cellular telephone in violation of the Fourth Amendment.

These claims have survived Defendants' motions to dismiss. Docs. 60, 61. Defendants have filed answers and the case is now commencing the discovery phase. Docs. 64, 65.

---

<sup>1</sup> Plaintiff's claim against Ard Contracting Inc. has been dismissed. Doc. 46.

Public funds are not available for payment of attorney's fees. Fees may be recoverable under applicable law if Plaintiff prevails. *See* 42 U.S.C. § 1988. Limited funds sometimes are available from the District's Bench and Bar Fund for the payment of out-of-pocket expenses incurred by an attorney providing representation of this type.

Any attorney who is interested in representing Plaintiff may contact him directly at michael.grasso6984@gmail.com or 305-699-2020.

Members of the District's bar will be afforded access to the electronic docket without charge for the purpose of considering whether to undertake the representation.

**SO ORDERED** this 17th day of April, 2023.

*/s/ Michael J. Frank*

---

**Michael J. Frank**

**United States Magistrate Judge**